

03 CV 5071

Doc #1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
GLADYS SALVO, as Administrator
of the Estate of Samuel Salvo,
Deceased and on behalf of all survivors
of Samuel Salvo

Plaintiff,

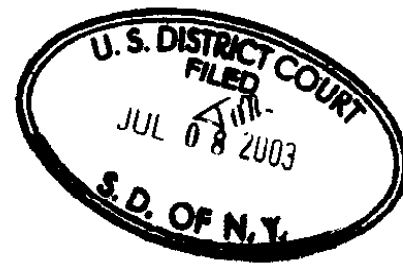
No.

Judge

- against -

COMPLAINT

AL QAEDA ISLAMIC ARMY,
EGYPTIAN ISLAMIC JIHAD,
OSAMA BIN LADEN,
ESTATE OF MUHAMMAD ATEF,
AYMAN AL ZAWAHIRI,
ABU ZUBAYDH,
SAIF AL ADEL,
KHALID SHEIKH MOHAMMED,
ABDULLAH AHMED ABDULLAH,
ESTATE OF ABU HAFS a/k/a Khaled Al Shanguiti,
a/k/a Mafuz Ould Al Walid, "THE MAURITANIAN",



ESTATE OF ABU SALAH AL-YEMENI,
ESTATE OF ABU JAFFER AL-JAZIRI
a/k/a OMAR CHEBBANI,
MUHSIN MUSA MATWALLI ATWAH,
ANAS AL LIBY,
IBN AL-SHAYKH AL-LIBI,
FAZUL ABDULLAH MOHAMMED,
AHMED MOHAMED HAMED ALI,
MOHAMED SULEIMAN AL NALFI,
MUSTAFA MOHAMED FADHIL,
AHMED KHALFAN GHAILANI,
FAHID MOHAMMED ALLY MSALAM,
SHEIKH AHMED SALIM SWEDAN,
MUHAMMAD ABU-ISLAM,
ABDULLAH QASSIM,
RAMZI BIN AL-SHIBB,

(30)
7-8-03
#150-

HASHIM ABDULRAHMAN,
MUSTAFA AHMED AL-HAWSAWI
a/k/a SHAYKH SAI'ID,
ABDULLAH AZZAM,
JAMAL AL-BADAWI,
MOHAMMED OMAR AL-HARAZI,
WALID AL-SOUROURI,
FATHA ADBUL RAHMAN,
YASSER AL-AZZANI,
JAMAL BAKHORSH,
AHMAD AL-SHINNI,
RAED HIJAZI,
JAMIL QASIM SAEED,
ABU ABDUL RAHMAN,
MOHAMED BAYAZID,
ABU MUSAB ZARQAWI
SHEIKH OMAR BAKRI MUHAMMAD
ABDUL FATTAH ZAMMAR
MAMOUN DARKAZANLI
GHASOUB AL ABRASH GHALYOUN (AKA ABU MUSAB)
BENSAYAH BELKACEM
SABIR LAMAR
WADIH EL-HAGE
WALI KHAN AMIN SHAH
ABU SAYEF GROUP (ASG)
JEMAAH ISLAMIYA
ALGERIAN ARMED ISLAMIC GROUP (GIA)
EGYPTIAN GAMA'A AL-ISLAMIYA

Terrorist Hijackers

THE ESTATE OF MARWAN AL-SHEHHI,
THE ESTATE OF FAYEZ AHMED,
THE ESTATE OF AHMED AL GHAMDI,
THE ESTATE OF HAMZA AL GHAMDI,
THE ESTATE OF MOHALD AL SHEHRI,
THE ESTATE OF SATAM M. A. AL SUQAMI,
THE ESTATE OF ABDULAZIZ AL OMARI,
THE ESTATE OF WALEED M. AL SHEHRI,
THE ESTATE OF WAIL AL SHEHRI,
THE ESTATE OF MOHAMMED ATTA,
THE ESTATE OF KHALID AL MIDHAR,
THE ESTATE OF NAWAF AL HAZMI,
THE ESTATE OF HANI HANJOUR,

THE ESTATE OF SALEM AL HAZMI,
THE ESTATE OF MAJED MOQED,
THE ESTATE OF ZIAD SAMIR JARRAH ,
THE ESTATE OF AHMED IBRAHIM A. AL HAZNAWI,
THE ESTATE OF SAEED AL GHAMDI,
THE ESTATE OF AHMED AL NAMI,
ZACARIAS MOUSSAOUI,

THE TALIBAN,
MUHAMMAD OMAR,
MAULVI ABDUL KABIR
JALIL SHINWARI
NOOR JALIL

THE REPUBLIC OF IRAQ
IRAQI INTELLIGENCE AGENCY a/k/a The Mukhabarat
a/k/a The Fedayeen a/k/a Al-'Qare a/k/a "Unit 999"
a/k/a "M-8 Special Operations",
SADDAM HUSSEIN,
QUSAY HUSSEIN,
UDAY HUSSEIN,
TAHA YASSIN RAMADAN,
MUHAMMED MAHDI SALAH,
FARUQ AL-HIJAZI,
SALAH SULEIMAN,
AHMED KHALIL IBRAHIM SAMIR AL-ANI,
HABIB FARIS ABDULLAH AL-MAMOURI,
ABDEL HUSSEIN a/k/a The Ghost,
ABU AGAB,

THE REPUBLIC OF SUDAN
MINISTRY OF DEFENSE
MINISTRY OF INTERIOR
SUDANESE INTELLIGENCE SERVICE
NATIONAL ISLAMIC FRONT
HASSAN TURABI, Islamic leader
OMAR HASSAN AHMAD AL-BASHIR, President of Sudan
ABDUL RAHIM MOHAMMED HUSSEIN, Interior Minister
ABDEL WAHAB OSMAN, former Sudanese Minister of Industry
ISS EL-DIN EL SAYED, Minister of Finance and National Economy
RAHMAN ABDUL SIRAL-KHATIM, Minister of Defense
AL AMN AL-DAKHILI, Intelligence
AL AMN AL-KHARIJI, Intelligence

ISLAMIC REPUBLIC OF IRAN

ISLAMIC REVOLUTIONARY GUARD ("IRGC")

IRANIAN MINISTRY OF INTELLIGENCE AND SECURITY ("MOIS")

LASHKAR REDAYAN-E-ISLAMI (ISLAMIC MARTYRS BRIGADE)

AYATOLLAH ALI KHAMENEI, Spiritual Leader of Iran

MOMAMMED MOHAMMADI RAYSHAHRI, special advisor to Spiritual Leader

QORBAN ALI NAJAF-ABADI, Minister of Intelligence

ALI FALAHYAN, Director of Public Intelligence

GENERAL ALI BLOKIAN, former advisor to Hezbollah

AHMAD SALAH (SALIM), member of committee of three of Int'l Hezbollah

MAHDI CHAMRAN SAVEHI, director of International

Hezbollah and Iranian External Intelligence chief

GENERAL MOHSEN REZA'I, Iranian security director

HOSEYN SHAYKH OL-ESLAM, former Assistant Foreign Minister

GENERAL MOHSEN REZA'I, former commander of the Islamic Revolutionary Guard Corps

(IRGC) who is now in charge of the reorganization of Iran's security apparatus;

GENERAL YAHYA RAHIM SAFAVI, head of the IRGC;

Information MINISTER QORBAN 'ALI NAJAF 'ABADI;

Former minister 'ALI FALAHYAN;

MOHAMMED MOHAMMADI RAYSHAHRI, special adviser to Iran's supreme leader Ali

Khamene'i;

HOSEYN SHAYKH OL-ESLAM, former assistant foreign minister

CO-CONSPIRATORS

ABD AL-HADI al-IRAQI,

ABD AL-MUSHIN AL-LIBI,

ABDUL RAHMAN KHALED BIN MAHFOUZ

ABDUL RAHMAN YASIN,

ABDULLA AL OBAID

ABDULA BIN LADEN,

ADVICE AND REFORMATION COMMITTEE,

AFGHAN SUPPORT COMMITTEE (ASC),

AHMAD I. NASREDDIN,

AHMED NUR ALI JUMALE a/k/a Ahmed Nur Ali Jim'ale,

AL KHALEEJIA FOR EXPERT PROMOTION AND MARKETING COMPANY,

AL RASHID TRUST,

AL TAQWA BANK,

AL TAQWA MANAGEMENT ORGANIZATION SA,

AL TAQWA TRADE, PROPERTY AND INDUSTRY, LTD.

AL-BARAKAAT GROUP,

AL-GAMMAAH AL ISLAMIAH,

AL-HARAMAIN,

ALBERT FRIEDRICH ARMAND HUBER a/k/a Ahmed Huber,
ALI GHALEB HIMMAT,
ASAT TRUST REG.,
BENEVOLENCE INTERNATIONAL FOUNDATION, INC.,
ENAAM M. ARNANOUT,
GLOBAL RELIEF FOUNDATION, INC.
INTERNATIONAL DEVELOPMENT FOUNDATION,
INTERNATIONAL ISLAMIC RELIEF ORGANIZATION (IIRO),
INTERNATIONAL INSTITUTE OF ISLAMIC THOUGHT (IIIT),
ISLAMIC ARMY FOR THE LIBERATION OF HOLY PLACES,
ISLAMIC CULTURAL INSTITUTE OF MILAN,
JAMAL BARZINI,
KHALED BIN MAHFOUZ,
MOHAMED MANSOUR,
MOHAMMED JAMAL KIHALIFA
MOHAMMED SALIM BIN MAHFOUZ,
NADA MANAGEMENT ORGANIZATION SA,
MUFTI MOHAMMED RASHID a/k/a RASHID
MUHAMMAD SALAH,
MUSLIM WORLD LEAGUE,
MUWAFFAQ FOUNDATION
NATIONAL COMMERCIAL BANK,
PRINCE NAYEF BIN ABDULAZIZ AL SAUD,
PRINCE SULTAN BIN ABDULAZIZ AL SAUD,
RABIH HADDAH,
RABITA TRUST,
SAAR FOUNDATION,
SAFIQ AYADI,
SAUDI SUDANESE BANK,
AL SHAMAL ISLAMIC BANK,
SHEIKH ABU BDUL AZIZ NAGI
SHEIK ADIL GALIL BATARGY a/k/a Adel
Abdul Jalil Batterjee,
SOMALI INTERNET COMPANY,
SOMALI NETWORK AB,
SOMALI INTERNATIONAL RELIEF ORGANIZATION (U.S.A.),
SULEIMAN ABDEL AZIZ AL RAJHI,
TABA INVESTMENTS,
TANZANITE KING,
ULEMA UNION OF AFGHANISTAN,
WADI AL AQIQ,
WAFA HUMANITARIAN ORGANIZATION,
WORLD ASSEMBLY OF MUSLIM YOUTH

YASIN AL-QADI,
YOUSEF M. NADA,
YOUSEF M. NADA & CO. GESELLSCHAFT M.B.H.,
YUSAF AHMED ALI,

INFOCUS TECH OF MALAYSIA
YAZID SUFAAT OF KUALA LUMPUR MALAYSIA;

AL-SHAYKH AL-IRAQI
AZZAM SERVICE CENTER
ABU HAJER AL IRAQI
HASSAN AL TURABI
MINISTRY OF INTELLIGENCE AND SECURITY
REPUBLIC OF SUDAN
MOHAMMED AL FAISAL AL SAUD
AL-HIJRAH CONSTRUCTION AND DEVELOPMENT LTD.
GUM ARABIC CO. LTD.
AL SHAMAL FOR INVESTMENT AND DEVELOPMENT
SALEH ABDULLAH KAMEL
SAUDI DALLAH AL BARAKA GROUP LLC.
SALEH ABDULLAH KAMEL
FAISAL ISLAMIC BANK
OMAR ABDULLAH KAMEL
AL BARAKA INVESTMENT AND DEVELOPMENT
DALLAH AL BARAKA GROUP LLC
ISLAMIC INVESTMENT COMPANY OF THE GULF
DAR-AL-MAAL AL ISLAMI
AL-BIR SAUDI ORGANIZATION
MOHAMMAD S. MOHAMMAD
TADAMON ISLAMIC BANK
NATIONAL ISLAMIC FRONT PARTY
MAMDOUH MAHAMUD SALIM
SUDANESE INTELLIGENCE SERVICE
LEBANESE HEZBOLLAH
PALESTINE ISLAMIC JIHAD
HAMAS
MUSTASIM ABDEL-RAHIM
ABDEL WAHAB OSMAN
SUDANESE GOVERNMENT OF NORTHERN STATE
ISS EL-DIN EL SAYED
NATIONAL FUND FOR SOCIAL INSURANCE
OMAR HASSAN AHMAD AL-BASHIR
RAHMAN ABDUL SIRAL-KHATIM

(ABDUL-RAHIM MOHAMMED HUSSEIN)
AL AMN AL-DAKHILI
AL AMN AL-KHARIJI
ABD AL SAMAD AL-TA'ISH
MOHAMED SADEEK ODEH
KHALID AL FAWWAZ
ABDEL BARRY
AHMED THE GERMAN
IRAQI SECRET SERVICE
GULBUDDIN HEKMATYAR
IMAD MUGHNIYEH
AHMAD SALAH (SALIM)
MAHDI CHAMRAN SAVEHI
MOHAMMED SARKAWI
AL TAWHID
HAJI MOHAMAD AKRAM
MOUNIR EL-MOTASSADEQ
RAMZI MOHAMMED ADBULLAH BINALSHIBH AKA RAMZI MOHAMED
ABDALLAH OMAR
ZAKARLYA ESSABAR
SAID BAHAJI
UMAR FARUQ
IBN SHEIK AL-LIBI
ABELGHANI MZOUZI
ABD AL-RAHIM AL-NASHIRI
TURKI AL FAISAL AL SAUD (PRINCE TURKI)
PRINCE ABDULLAH AL FAISAL BIN ABDULAZIZ AL SAUD (PRINCE
ABDULLAH)
PRINCE NAIF BIN ABDULAZIZ AL SAUD (PRINCE NAIF)
SALMIN BIN ABDUL AZIZ AL SAUD (PRINCE SALMAN)
ZOUAYDI (MUHAMMED GALEB KALAJE ZOAAAYDI AKA ABU TALHA)
MULIAH KAKSHAR
ABDULAZIS BIN ABDUL RAHMAN AL SAUD
ARAFAT EL-ASAHI
HAYDAR MOHAMED BIN LADEN
MOHAMMED BIN ABDULRAHMAN AL ARIEFY
FAISAL GROUP HOLDING CO.
ALFAISALIAH GROUP
BASHSH HOSPITAL
MUSHAYT
ABDULLAH BIN ABDUL MUHSEN AL TURKI (AL TURKI)
SAUDI HIGH COMMISSION (AKA THE SAUDI HIGH RELIEF COMMISSION)
ABDUL AZIZ AL IBRAHIM (OR AL IBRAHIM)

TAREK AYOUBI
AL ANWA
HELP AFRICAN PEOPLE
IBRAHIM BIN ABDUL AZIZ AL IBRAHIM FOUNDATION
MERCY INTERNATIONAL RELIEF AGENCY
ISLAMIC MOVEMENT OF UZBEKISTAN (IMU)
SAUDI BIN LADEN GROUP (LBG)
BAKR M BIN LADEN
SALEM BIN LADEN
SALEH GAZAZ
MOHAMMED BAHARETH
ADBULLAH BIN SAID
MOHAMMED NUR RAHMI
TAREK M. BIN LADEN
OMAR M. BIN LADEN
MOHAMED BIN LADEN ORGANIZATION (SBG)
SAUDI BINLADIN INTERNATIONAL COMPANY
YESLAM M. BIN LADEN
GLOBAL DIAMOND RESOURCE
YASSIN ABDULLAH AL-KADI
HUMAN CONCERN INTERNATIONAL SOCIETY
TALAL MOHAMMED BADKOOK
DR. MOHAMAN ALI ELGARI
NEW DIAMOND HOLDINGS
M.M. BADKOOK CO. FOR CATERING & TRADING
AL-MUSTAQBAL GROUP
NATIONAL MANAGEMENT CONSULTANCY CENTER (NMCC)
AL-RAJHI BANKING & INVESTMENT CORPORATION
SALEH ABDULAZIZ AL-RAJHI
ABDULLAH SALAIMAN AL-RAJHI
KHALID SULAIMAN AL-RAJHI
AL-WATANIA POULTRY
MAR-JAC POULTRY
MAR-JAC INVESTMENTS, INC.
PIEDMONT POULTRY
SALIM BIN MAHFOUZ
SNCB CORPORATE FINANCE LTD.
SNCB SECURITIES LTD. IN LONDON
SNCB SECURITIES LTD. IN NEW YORK
SAUDI ECONOMIC AND DEVELOPMENT COMPANY
ZAKAT COMMITTEE
RED CRESCENT SAUDI COMMITTEE
BLESSED RELIEF FOUNDATION

ABDULKARIM KHALED UUSUF ABDULLA
ABDULRAHMAN BIN KHALID BIN MAHFOUZ
AL-BIRR
HISHAM (BROTHER OF ENAAM ARNAOUT)
HEZB-E-ISLAMI
SAIF AL ISLAM EL MASRY
BENEVOLENCE INTERNATIONAL FOUNDATION - U.S.A.
BENEVOLENCE INTERNATIONAL FOUNDATION - CANADA
SYED SULEMAN AHMER
MAZIN M.H. BAHARETH
SHAHIR ABDULRAOOF BATTERJEE
ZAHIR H. KAZMI
MUZAFFAR KHAN
SOLIMAN J. KHUDEIRA
JAMAL NYRABEH
AHMAD AJAJ
SUCCESS FOUNDATION
WA'EL JAL Aidan
ABDURAHMAN ALAMOUDI
AMERICAN MUSLIM FOUNDATION (AMF)
MOHAMMED OMEISH
ADNAN BASHA
MAHMOUD JABALLAH
ARAFAT EL-ASHI
MORO ISLAMIC LIBERATION FRONT (MILF)
JAMAL AHMED MOHAMMED
MOHMOUS JABALLAH
MOHAMMED KHATIB
SAUDI JOINT RELIEF COMMITTEE
TAIBAH INTERNATIONAL AID ASSOCIATION
ISLAMIC AFRICAN RELIEF AGENCY
TARIK HAMD I
FAZEH AHED
SANABIL AL-KHAIR
SANA-BELL, INC.
SANABEL AL-KHEER, INC.
SHALED NOURI
ABDULLAH M. AL-MAHDI
TAREQ M. AL-SWAIDAN
ABDUL AL-MOSLAH
SALAH BADAHD I
HASSAN A.A. BAHFZALLAH
M. YAQUB MIRZA

IHAB ALI
SAMIR SALAH
IBRAHIM HASSABELLA
HISHAM AL-TALIB
ABU SULAYMAN
AHMED TOTONJI
HISHAM AL-TALIB
IQBAL YUNUS
M. OMAR ASHRAF
MOHAMMED JAGHLIT
MUHAMMAD ASHRAF
YAQUB MIRZA
SHERIFSEDKY
AFRICAN MUSLIM AGENCY
ARADI, INC.
GROVE CORPORATE, INC.
HERITAGE EDUCATION TRUST
MENA CORPORATION
RESTON INVESTMENTS, INC.
SAFA TRUST
STERLING CHARITABLE GIFT FUND
STERLING MANAGEMENT GROUP
YORK FOUNDATION
NATIONAL DEVELOPMENT BANK
DALLAH AVCO TRANS ARABIA CO. LD.
OMAR AL BAYOUMI (AKA ABU IMARD)
MASJED AL MADINAH AL MUNAWARAH (AKA MASJID AL MADINAH AL
MUNAWARAH)
AQSA ISLAMIC BANK
AQEEL AL-AQEEL
MANSOUR AL-KADI
SOLIMAN H.S. AL-BUTHE
PEROUZ SEDA GHATY
AHMED IBRAHIM AL NAJJAR
ADEL MUHAMMAD SADIQ BIN KAZEM
SAUDI AMERICAN BANK
ABDULAZIZ BIN HAMAD
KHALIL A. KORDI
RASHID M. AL ROMAIZAN
ABDULAZIZ BIN HAMAD AL GOSAIBI
SAUDI CEMENT COMPANY IN DAMMAN
OMAR SULAIMAN AL-RAJHI
ARAB CEMENT COMPANY

ZEINAB MANSOUR-FATTOUH
MOHAMMED CHEHADE
HAZEM RAGAB
MOHAMMED ALCHURBAJI
MUSTAFA AL-KADIR
ABU AL-MAID

Defendants.

-----X

Plaintiff, by her attorney Donald J. Nolan, hereby alleges:

1. Plaintiff is a U.S. citizen and resident who is Administrator of the Estate of Samuel Salvo who was killed in the September 11, 2001 terrorist attack perpetrated by some of the defendants with the support and assistance of the other defendants, in which United Airlines Flight 175 was caused to crash into the World Trade Center Tower 2 (hereinafter "September 11t Attacks"). Plaintiff's decedent was present at World Trade Center Tower 2 in New York at the time of the attack.

JURISDICTION AND VENUE

2. Jurisdiction arises pursuant to 28 U.S.C. §§ 1330(a) (actions against foreign states), 1331 (federal question), 1332(a)(2), 1350 ("Alien Tort Act"), 1605(a)(2),

1605(a)(5), 1605(a)(7) (the Foreign Sovereign Immunities Act), and the Torture Victim Protection Act, PL 102-256, 106 Stat. 73 (reprinted at 28 U.S.C.A. § 1350 note (West 1993)).

3. Venue is proper in this district pursuant to the Air Transportation Safety and System Stabilization Act, (Pub. Law 107-42, 115 Stat. 230), 49 U.S.C. § 40101, Title IV, § 408(b)(3), designating the Southern District of New York ("S.D.N.Y.") as the exclusive venue for all civil litigation arising out of, or related to the September 11th Attacks, and 28 U.S.C. 1391(b)(2) and 1391(f)(1) because a substantial number of acts, occurrences, injuries and deaths occurred in the Southern District of New York.

4. This action for wrongful death and related claims perpetrated by the foreign states of IRAQ, the SUDAN, and IRAN through their instrumentalities and their official and unofficial employees, agents and servants alleged herein, falls within the exceptions to immunity under 28 U.S.C. §§ 1605(a)(5) and 1605(a)(7) (the Foreign Sovereign Immunities Act).

DEFENDANTS

5. Defendants are co-conspirators who intentionally, willfully and knowingly conspired, planned, financed, supported, executed and carried out a plan to murder, maim and injure United States' citizens, residents and others on September 11, 2001; and all participated directly or indirectly in the September 11, 2001 terrorist attacks on the United States of America. Defendants fall into three primary categories, (1) AL QAEDA and its members and associates, (2) IRAQ, the SUDAN and IRAN, State Sponsors of AL QAEDA's terrorist activities, and (3) entities or individuals who provided logistical,

material, financial or other support to AL QAEDA and its terrorist activities.

6. Defendant AL QAEDA, a/k/a Islamic Army, is an unincorporated association organized to perpetrate acts of international terrorism, including murder, mayhem, bombings and hijackings against the United States, its citizens and its allies. AL QAEDA has also encouraged, financed and supported other terrorist groups who targeted U.S. citizens. AL QAEDA, as of September 11, 2001, was headquartered in Afghanistan, but has a network of terrorist "cells" and affiliated groups throughout the world.

7. Defendant OSAMA BIN LADEN a/k/a Usama Bin Laden, Abu Abdullah, Mujahid Shaykh Hajjs and Abdul Hay, ("BIN LADEN") was formerly a national of Saudi Arabia with Yemen as his ancestral home, but who is now an alien of unknown nationality. He is last known to have been living in Afghanistan. At all relevant times, BIN LADEN has headed and directed the terrorist activities of AL QAEDA.

8. Defendants OSAMA BIN LADEN, MUHAMMAD ATEF, AYMAN AL ZAWAHIRI, ABU ZUBAYDH, SAIF AL ADEL, KHALID SHEIKH MOHAMMED, ABDULLAH AHMED ABDULLAH, ABU AL JAFAR AL-JAZIRI, ABU HAFS a/k/a the Mauritanian, ABU JAFFER AL-JAZIRI, ABU SALAH AL-YEMENI, MUHSIN MUSA MATWALLI ATWAH, ANAS AL LIBY, FAZUL ABDULLAH MOHAMMED, AHMED MOHAMED HAMED ALI, MOHAMED SULEIMAN AL NALFI, MUSTAFA MOHAMED FADHIL, AHMED KHALFAN GHAILANI, FAHID MOHAMMED ALLY MSALAM, SHEIKH AHMED SALIM SWEDAN, MUHAMMAD ABU-ISLAM, ABDULLAH QASSIM, RAMZI BIN AL-SHIBB, HASHIM ABDULRAHMAN, MUSTAFA AHMED AL-HAWSAWI, ABDULLAH AZZAM, JAMAL AL-BADAWI,

MOHAMMED OMAR AL-HARAZI, WALID AL-SOUROURI, FATHA ADBUL RAHMAN, YASSER AL-AZZANI, JAMAL BAKHORSH, AHMAD AL-SHINNI, RAED HIJAZI, JAMIL QASIM SAEED, ABU ABDUL RAHMAN, MOHAMED BAYAZID and AL-SHAYKH AL-IRAQI and others named herein are or were natural persons who, on or before September 11, 2001, were leaders or members of AL QAEDA who conspired, acted in concert with, aided and abetted, sponsored and assisted directly and indirectly, in the September 11th terrorist attacks against the United States of America.

9. MOHAMMED ATTA, MARWAN AL-SHEHRI, FAYEZ AHMED, AHMED AL GHAMDI, HAMZA AL GHAMDI, MOHALD AL SHEHRI, SATAM M. A. AL SUQAMI, ABDULAZIZ AL OMARI, WALEED M. AL SHEHRI, WAIL AL SHEHRI, KHALID AL MIDHAR, NAWAF AL HAZMI, HANI HANJOUR, SALEM AL HAZMI, and MAJED MOQED hijacked three commercial aircraft on September 11, 2001 and committed mass murder by deliberately flying the aircraft into the World Trade Center and the Pentagon. ZIAD SAMIR JARRAH, AHMED IBRAHIM A. AL HAZNAWI, SAEED AL GHAMDI, and AHMED AL NAMI hijacked United Airlines Flight 93 and attempted to deliberately fly the aircraft into the White House or another prominent Washington D.C. landmark but were thwarted by the efforts of heroic passengers, resulting in the aircraft crashing to the ground in Shanksville, Pennsylvania. The "twentieth hijacker," ZACARIAS MOUSSAOUI, was in custody on September 11, 2001, and thus unable to participate in the attacks perpetrated that fatal day. Plaintiff has named as defendants, the estates of various AL QAEDA members who were killed on September 11th or in armed conflict with allied forces since September 11, 2001.

10. Defendant TALIBAN, as of September 11, 2001, was an unincorporated

association that served as the *de facto* government of Afghanistan from approximately 1996 until shortly after September 11, 2001. The TALIBAN, as of September 11, 2001, was headquartered in Kandahar, Afghanistan and had declared itself to constitute the government of Afghanistan.

11. Defendant MUHAMMAD OMAR ("OMAR") founded the TALIBAN and since 1996 Omar was the leader of the TALIBAN's six member ruling council and was responsible for the TALIBAN's financial activities. OMAR, individually and through the TALIBAN organization that he controlled, supplied material and logistical support to AL QAEDA and BIN LADEN in furtherance of their terrorist plans to attack the United States of America and murder U.S. citizens.

12. AL QAEDA and the TALIBAN were closely linked. OMAR and the TALIBAN afforded BIN LADEN special status in Afghanistan; and BIN LADEN was the *de facto* head of TALIBAN intelligence and security. BIN LADEN acted on OMAR's behalf, by providing soldiers to crush opposition to the TALIBAN's ruthless rule inside Afghanistan. OMAR enabled BIN LADEN to export terrorism to the United States and elsewhere by allowing him to construct and maintain camps in Afghanistan and train AL QAEDA members and other terrorists from around the world in the deadly and depraved methods of committing acts of violence, murder, destruction and mayhem. OMAR refused to turn BIN LADEN over to the United States after the September 11th attacks and instead, continued to offer sanctuary to BIN LADEN and AL QAEDA members.

13. Defendant REPUBLIC OF IRAQ ("IRAQ ") is a foreign sovereign state located in the Middle East and shares borders with Saudi Arabia, Jordan, Syria, Turkey, Iran

and Kuwait. The United States does not have formal diplomatic relations with the current government of IRAQ , which maintains an office in New York, the Permanent Representative of IRAQ to the United Nations, 14 East 79th Street, New York, NY, 10021. IRAQ maintains an Interest Section in the Algerian Embassy in Washington, D.C., located at 1801 P Street, N.W. Washington, D.C. 20036.

14. Defendant IRAQ has, for many years and at all relevant times, been designated by the United States Department of State as a foreign state that sponsors terrorism within the meaning of the Export Administration Act of 1979, 50 U.S.C. § 2405(j); the Foreign Assistance Act of 1961, 22 U.S.C. § 2371(b) and 18 U.S.C. § 2333.

15. Defendant, the IRAQ I INTELLIGENCE AGENCY a/k/a the Mukhabarat, a/k/a the Fedayeen, a/k/a Al-Qare, a/k/a Unit 999, a/k/a M-8 operations, is the intelligence and operational entity in charge of conducting clandestine operations for the Iraqi government and is an agency, instrumentality and/or organ of the Iraqi government.

16. Defendant IRAQ sponsored terrorism through its officials, officers, employees and agents, including but not limited to defendants, SADDAM HUSSEIN, QUSAY HUSSEIN, UDAY HUSSEIN, TAHA YASSIN RAMADAN, MUHAMMED MAHDI SALAH, FARUQ AL-HIJAZI, SALAH SULEIMAN, AHMED KHALIL IBRAHIM SAMIR AL-ANI, HABIB FARIS ABDULLAH AL-MAMOURI, and ABDEL HUSSEIN, a/k/a "The Ghost," HAQI ISMAIL, TAHA AL ALWANI, ABU AGAB, and ABU WA'EL who are natural persons, subjects and citizens of IRAQ and leaders, agents/or employees of IRAQ and/or its INTELLIGENCE AGENCY, who participated in the acts and conspiracy described below while acting in the course and scope of their employment.

17. The defendant REPUBLIC OF SUDAN ("SUDAN") is a foreign sovereign state within the meaning of 28 U.S.C. § 1391(f) and 1603(a) and is located on the continent of Africa and borders the Red Sea west of Saudi Arabia and south of Egypt. The United States does not have formal diplomatic relations with the current government of the defendant SUDAN, which maintains an Embassy in Washington, D.C. located at 2210 Massachusetts Avenue, N.W., Washington, D.C. 20008-2831.

18. The defendant SUDAN has, for many years and at all relevant times, been designated by the United States Department of State as a foreign state that sponsors terrorism within the meaning of the Export Administration Act of 1979, 50 U.S.C. App. § 2405(j); the Foreign Assistance Act of 1961, 22 U.S.C. § 2371(b); and 18 U.S.C. § 2333. The defendant SUDAN, by and through its agents and instrumentalities including, but not limited to, SUDANESE INTELLIGENCE and Ministries of Interior and Foreign Affairs has supported, encouraged, sponsored, aided and abetted and conspired with a variety of groups that use terror to pursue their goals. The defendant SUDAN has provided financing, training, safe-haven, and weapons for terrorist groups including the defendants AL QAEDA and BIN LADEN, through its officials, officers, employees and agents, including but not limited to MINISTRY OF DEFENSE, MINISTRY OF INTERIOR, NATIONAL ISLAMIC FRONT, HASSAN TURABI, Islamic leader, OMAR HASSAN AHMAD AL-BASHIR, President of Sudan, ABDUL RAHIM MOHAMMED HUSSEIN, Interior Minister, ABDEL WAHAB OSMAN, former Sudanese Minister of Industry, and ISS EL-DIN EL SAYED, Minister of Finance and National Economy..

19. Defendant, the ISLAMIC REPUBLIC OF IRAN (hereinafter referred to as

"IRAN"), is a foreign state within the meaning of 28 U.S.C. §1391(f) and 1603(a) and borders Afghanistan to its east and IRAQ to its west. IRAN maintains an Interest Section within the United States at 2209 Wisconsin Avenue, N.W., Washington, D.C. 20007.

20. Defendant IRAN has for many years and at all relevant times, been designated as a foreign state that sponsors terrorism within the meaning of the Export Administration Act of 1979, 50 U.S.C.App. § 2405(i), and the Foreign Assistance Act of 1961, 22 U.S.C. §2371(b) and 18 U.S.C. § 2333.

21. Defendant IRAN has been found to be liable as a state sponsor of international terrorism under 28 U.S.C. §1605(a)(7), especially in connection with acts perpetrated by its state sponsored paramilitary terrorist organization known as "Hezbollah," in various cases, including *Anderson v. the Islamic Republic of Iran*, 90 F. Supp.2d 107 (D.D.C. 2000), and *Cicippio v. The Islamic Republic of Iran*, 18 F.Supp 2d 62 (D.D.C. 1998).

22. Defendant IRAN through its officials, officers, agents and employees, including but not limited to, its Ministry of Intelligence and Security ("MOIS"), ISLAMIC REVOLUTIONARY GUARD ("IRGC"), AYATOLLAH ALI KHAMENEI, Spiritual Leader of Iran, MOMAMMED MOHAMMADIRAYSHAHRI, special advisor to Spiritual Leader, QORBAN ALI NAJAF-ABADI, Minister of Intelligence, ALI FALAHYAN, Director of Public Intelligence, GENERAL ALI BLOKIAN, former advisor to Hezbollah, AHMAD SALAH (SALIM), member of committee of three of Int'l Hezbollah, MAHDI CHAMRAN SAVEHI, director of International, Hezbollah and Iranian External Intelligence chief, GENERAL MOHSEN REZA'I, Iranian security director HOSEYN SHAYKH OL-ESLAM,

former Assistant Foreign Minister, GENERAL MOHSEN REZA'I, former commander of the Islamic Revolutionary Guard Corps (IRGC) who is now in charge of the reorganization of Iran's security apparatus, GENERAL YAHYA RAHIM SAFAVI, head of the IRGC, Information MINISTER QORBAN 'ALI NAJAF 'ABADI, Former minister 'ALI FALAHYAN, MOHAMMED MOHAMMADI RAYSHAHRI, special adviser to Iran's supreme leader Ali Khamene'i,

HOSEYN SHAYKH OL-ESLAM, former assistant foreign minister provided material support and resources to defendants AL QAEDA and BIN LADEN both directly and through its surrogate, Hezbollah. The support provided by IRAN to BIN LADEN and AL QAEDA assisted in or contributed to the preparation and execution of the plans that culminated in the September 11 Attacks.

23. The co-conspirator sponsor defendants are individuals, organizations, banks and charities located in Saudi Arabia and other parts of the world who conspired with BIN LADEN, AL QAEDA, and the TALIBAN to raise, launder, transfer, distribute and hide funds for BIN LADEN and AL QAEDA in order to support and finance their terrorist activities, including, but not limited to, the September 11th attacks. Some of the individuals, businesses, banks and charities operate legitimate businesses but also maintain a dual role as an AL QAEDA co-conspirator and have actively supported its terrorist activities; while others, including some of the individuals, are a sham front for AL QAEDA or are full fledged members of AL QAEDA.

SUMMARY OF ALLEGATIONS

24. The horrific events of September 11th were the result of a world-wide terror

conspiracy against the United States involving defendants who have conspired for many years to attack the United States and murder United States' citizens and who ultimately conspired, aided and abetted, sponsored, planned and executed the September 11th terror attacks that killed thousands of people and injured many thousands more and destroyed numerous properties and businesses.

25. IRAQ has sworn revenge against the United States since 1991 for IRAQ's humiliating defeat in the Persian Gulf War. Since IRAQ could not defeat the U.S. Military, it resorted to terror attacks on U.S. citizens. In order to avoid another confrontation with U.S. Military forces, IRAQ contracted with terrorists and sponsored Islamic fundamentalists who were willing to commit terrorist acts on IRAQ's behalf.

26. For many years AL QAEDA wanted to drive the United States from the Arabian peninsula, topple Middle East governments supported by the United States, including Egypt and Israel, and create an Islamic empire based upon its narrow interpretation of the Koran. Over the years, AL QAEDA has grown as it absorbed or allied with other like-minded Islamic terrorist groups, including the EGYPTIAN ISLAMIC JIHAD.

27. For more than 10 years, IRAQ's leadership and AL QAEDA shared a virulent hatred of the United States.

28. As early as 1992, AL QAEDA terrorists established close working relations with IRAQ I INTELLIGENCE agents in the SUDAN, Afghanistan, IRAQ and elsewhere. Soon thereafter, IRAQ I INTELLIGENCE decided to support AL QAEDA and to employ AL QAEDA terrorists to carry out IRAQ's terror attacks. The IRAQ-AL QAEDA

relationship benefitted IRAQ because it provided that state with trained terrorists willing to die in terror attacks. As a secular state, IRAQ does not have a large number of citizens wishing to become martyr warriors. Additionally, by using AL QAEDA suicide terrorists, IRAQ could disavow involvement in attacks and avoid retribution. The relationship benefitted AL QAEDA which received the support, funding, facilities and training needed to carry out its terror campaigns.

29. During the mid 1990's IRAQ began actively supporting AL QAEDA operations by providing intelligence, training, weapons, supplies, passports, travel documents and financial support to co-conspirators. Significantly, one of IRAQ's military or terror training camps contained the fuselage of a Boeing 707 used to teach techniques for hijacking commercial aircraft to AL QAEDA terrorists.

30. AL QAEDA, backed by IRAQ, carried out the September 11th terror attacks with the financial and logistical support of numerous individuals and organizations. These individuals and organizations provided AL QAEDA with the means to recruit, train, and employ thousands of terrorists, including the twenty assigned the ghastly mission to murder United States citizens and destroy U.S. landmarks on September 11, 2001.

31. The SUDAN and IRAN have repeatedly sponsored violent terrorist attacks on U.S. and Israeli targets in the Middle East and have supported AL QAEDA financially, materially and logistically for over a decade and support its goals.

32. This lawsuit seeks to strip the assets of AL QAEDA, BIN LADEN, IRAQ, SUDAN, IRAN and those individuals, entities and organizations who participated in or supported the September 11th terror attacks and recover compensatory and punitive damages

for the September 11th victims.

33. **THE BIRTH OF AL QAEDA**

Starting in 1989, an international terrorist group emerged dedicated to opposing non-Islamic governments with brutal force and terrifying violence. This organization grew out of the "mekhtab al khidemat" (the "AZZAM SERVICE CENTER") organization which maintained offices in Peshawar, Pakistan and received funds from Islamic charities, wealthy Saudi families, mosques, legitimate businesses and criminal enterprises, among others during the Soviet-Afghan war.

34. Under the leadership of BIN LADEN, MUHAMMAD ATEF, a/k/a "Abu Hafs al Masry," Sheikh Taysir Abdullah, Abu Fatima; Abu Khadija; together with "Abu Ubaidah al Banshiri" (deceased in 1996), AYMAN AL ZAWAHIRI and others, the AZZAM SERVICE CENTER expanded, creating terrorist cells in various parts of the world, including Afghanistan, Pakistan and the United States, and financing and supporting other terrorist groups dedicated to committing acts of violence, murder, destruction and mayhem. From approximately 1989 until the present, this terrorist group called itself "AL QAEDA" ("the Base").

35. At all relevant times, AL QAEDA was led by BIN LADEN. Members of AL QAEDA pledged an oath of allegiance (called a "bayat") to BIN LADEN and AL QAEDA, committing themselves to become martyrs in their depraved cause.

36. AL QAEDA actively and vehemently opposed the United States for several reasons. First, it regarded the United States as a "kafir" or "infidel" nation governed in a manner inconsistent with the group's interpretation of Islam. Second, it believed the United

States was providing essential support for other "infidel" nations and organizations, particularly the governments of Egypt, Israel and the United Nations, which AL QAEDA regarded as enemies. Third, AL QAEDA opposed the involvement of the United States armed forces in the Gulf War in 1991 and its presence in the Middle East afterwards as illustrated by Operation Restore Hope in Somalia in 1992 and 1993. AL QAEDA viewed these as pretextual preparations for an American occupation of Islamic countries. In particular, AL QAEDA opposed the continued presence of American military forces in Saudi Arabia and elsewhere on the Saudi Arabian peninsula following the Gulf War. Fourth, AL QAEDA opposed the United States Government because of the arrest, conviction and imprisonment of AL QAEDA members or other terrorists with whom it worked, including the Islamic Group's Sheik Omar Abdel Rahman who was convicted of planning to bomb bridges and tunnels in New York City. Fifth, AL QAEDA believed United Nation sanctions against IRAQ were orchestrated by the United States out of "eagerness to destroy IRAQ".

37. One of the AL QAEDA's principal goals was to use violence to drive the United States armed forces out of Saudi Arabia and Somalia. Members of AL QAEDA issued fatwas (rulings on Islamic law) stating that attacks on the United States were both proper and necessary.

38. At least as early as 1991, BIN LADEN and AL QAEDA began working closely with AYMAN AL ZAWAHIRI, a/k/a "Abdel Muaz," a/k/a "Dr. Ayman al Zawahiri," a/k/a "the Doctor," a/k/a "Nur," a/k/a "Ustaz," a/k/a "Abu Mohammed," a/k/a "Abu Mohammed Nur al-Deen," whose EGYPTIAN ISLAMIC JIHAD terrorist group

shared BIN LADEN and AL QAEDA's goals. BIN LADEN had met ZAWAHIRI in Peshawar, Pakistan in 1987 during the Afghan-Soviet War.

39. From in or about 1987, until in or about December 1997, AYMAN AL ZAWAHIRI, led the EGYPTIAN ISLAMIC JIHAD, a group dedicated to the forceful overthrow of the Egyptian Government and committing violence against the United States, in part, for what ZAWAHIRI believed to be United States support of the Egyptian Government. Members of EGYPTIAN ISLAMIC JIHAD pledged allegiance to AL ZAWAHIRI. Many of the leading members of the EGYPTIAN ISLAMIC JIHAD ultimately became influential members of AL QAEDA, including AYMAN AL ZAWAHIRI and MUHAMMAD ATEF. By February 1998, the EGYPTIAN ISLAMIC JIHAD led by AL ZAWAHIRI had effectively merged with AL QAEDA and had joined with AL QAEDA in targeting United States' citizens.

40. AL QAEDA had a command and control structure which included a majalis al shura (or consultation council) that discussed and approved major undertakings, including terrorist operations. BIN LADEN, MUHAMMAD ATEF, a/k/a "Abu Hafs," AYMAN AL ZAWAHIRI, SAIF AL ADEL, Mamdouh Mahmud Salim, a/k/a "Abu Hajer," and ABDULLAH AHMED ABDULLAH, a/k/a "Abu Mohamed el Masry," a/k/a "Saleh," among others, sat on the majalis al shura (or consultation council) of AL QAEDA. Its affiliate, the EGYPTIAN ISLAMIC JIHAD had a Founding Council, on which Ibrahim Eidarous sat.

41. AL QAEDA also maintained a "military committee" which considered and approved "military" matters. MUHAMMAD ATEF sat on the military committee and was

one of BIN LADEN's two principal military commanders together with "Abu Ubaidah al Banshiri," (until his death in May 1996). MUHAMMAD ATEF had the principal responsibility for supervising the training of AL QAEDA members. SAIF AL ADEL also served on the military committee reporting to MUHAMMAD ATEF.

42. AL QAEDA functioned both on its own and as a conduit for other terrorist organizations in other parts of the World that shared its ideology, such as the EGYPTIAN ISLAMIC JIHAD, Ahmed Refai Taha, a/k/a "Abu Yasser al Masri," and a number of jihad terrorist groups in other countries, including the SUDAN, Egypt, Saudi Arabia, Yemen, Somalia, Eritrea, Djibouti, Afghanistan, Pakistan, Bosnia, Croatia, Albania, Algeria, Tunisia, Lebanon, the Philippines, Tajikistan, Azerbaijan, the Kashmiri region of India and the Chechnyan region of Russia. AL QAEDA camps were used to train terrorists to fight in Islamic causes, such as supporting Pakistan in its dispute with India over the province of Kashmir. AL QAEDA maintained terrorist cells and personnel in a number of countries to facilitate its activities, including Kenya, Germany, Tanzania, the United Kingdom, Canada and the United States.

43. BIN LADEN and AL QAEDA also forged alliances with the National Islamic Front in the SUDAN and with representatives of the government of IRAN, and its associated terrorist group Hezbollah, for the purpose of working together against their perceived common enemies in the West, particularly the United States.

44. At various times from as early as 1989, BIN LADEN, and others known and unknown, ran terrorist training "camps and guesthouses" in various areas, including Afghanistan, IRAQ, IRAN, Pakistan, the SUDAN, Somalia, Kenya, Malaysia, Philippines

and Germany for the use of AL QAEDA and its affiliated groups. Mamdouh Mahmud Salim, ABU HAJER AL IRAQI, an IRAQI, managed some of these training camps and guesthouses in Afghanistan and Pakistan.

45. Since 1991, BIN LADEN, AL QAEDA and many of their co-defendants unlawfully, wilfully and knowingly combined, conspired, confederated and agreed to murder and injure United States citizens throughout the world, including in the United States, and to conceal their activities and methods by, among other things, establishing front companies, providing false identity and travel documents, financing terrorist operations, engaging in coded correspondence, providing false information to the authorities in various countries and seeking to detect and kill informants.

THE SUDAN

46. In 1991, BIN LADEN left Saudi Arabia and relocated in the SUDAN. He centered his AL QAEDA operations there for the next four years while maintaining offices and orchestrating terrorist recruitment, training and launching attacks in various parts of the world. BIN LADEN recruited new members in the SUDAN, such as MOHAMED SULEIMAN AL NALFI and at least 200 Afghan Arabs, Saudis, Yemenis and Egyptians who had fought against the Soviets in Afghanistan and who became part of AL QAEDA's cell in the SUDAN. ABU HAJER AL-IRAQI, a/k/a Mamdouh Mahmud Salim, an IRAQI, served as BIN LADEN's top lieutenant in the SUDAN shortly after BIN LADEN's arrival there.

47. In 1989, Defendant HASSAN AL TURABI installed a radical extremist Islamic government in SUDAN through a *coup*. Beginning in 1991,

he and the Sudanese government provided refuge to BIN LADEN. A 1996 State Department fact sheet on OSAMA BIN LADEN described his operations in the country beginning in 1991:

Bin Laden relocated to SUDAN in 1991, where he was welcomed by National Islamic Front (NIF) leader Hasan al-Turabi. . . . [bin Laden] embarked on several business ventures in SUDAN in 1990, which began to thrive following his move to Khartoum. Bin Laden also formed symbiotic business relationships with wealthy NIF members by undertaking civil infrastructure development projects on the regime's behalf.

48. OSAMA BIN LADEN's close relationship with the new extremist Sudanese regime became symbiotic and he conducted several business projects with or on behalf of the NIF. One of these investments was the Defendant AL SHAMAL ISLAMIC BANK, as reported by the State Department:

Bin Laden and wealthy NIF members capitalized al-Shamal Islamic Bank in Khartoum. Bin Laden invested \$50 million in the bank.

49. OSAMA BIN LADEN's involvement in business transactions in the SUDAN including the AL SHAMAL ISLAMIC BANK, was confirmed by a 2002 Congressional Research Service Report:

In 1991, bin Laden relocated to SUDAN with the approval of SUDAN National Islamic Front (NIF) leader Hasan al-Turabi. There, in concert with NIF leaders, [bin Laden] built a network of businesses, including an Islamic Bank (al Shamal), an import-export firm, and firms that exported agricultural products. An engineer by training, bin Laden also used his family connections in the construction business to help SUDAN build roads and airport

facilities. The business in SUDAN . . . enabled him to offer safe haven and employment in SUDAN to AL QAEDA members, promoting their involvement in radical Islamic movements in their countries of origin (especially Egypt) as well as anti-U.S. terrorism.

50. Defendant AL SHAMAL ISLAMIC BANK in the SUDAN has been tied to not only to BIN LADEN and TURABI, but also to shareholder Defendant FAISAL ISLAMIC BANK which is chaired by Defendant MOHAMMED AL FAISAL AL SAUD and Saudi investors. AL SHAMAL ISLAMIC BANK was chaired by Defendant ADEL ABDUL JALIL BATTERJEE who was responsible for funding AL QAEDA through BENEVOLENCE INTERNATIONAL FOUNDATION ("BIF") and WORLD ASSEMBLY OF MUSLIM YOUTH ("WAMY"). BIN LADEN maintained accounts at AL SHAMAL in his own name and for his Sudanese businesses defendants AL-HIJRAH CONSTRUCTION AND DEVELOPMENT LTD., WADI AL AQIQ (an import/export company); TABA INVESTMENT CO. LTD. (agricultural exporter); GUM ARABIC CO. LTD. (co-owned by BIN LADEN and Sudanese Government); AL THEWAR (agricultural company); BLESSED FRUITS CO.; IKHLAS (Honey)

51. Defendant AL SHAMAL ISLAMIC BANK was founded in 1983 by three individuals or entities: (1) AL SHAMAL FOR INVESTMENT AND DEVELOPMENT, a Sudanese company; (2) Defendant SALEH ABDULLAH KAMEL, Chairman of the SAUDI DALLAH AL BARAKA GROUP LLC; and (3) the Sudanese Government of Northern State, then controlled by Governor Mutasim Abdul-Rahim, Secretary General of the National Congress Party in

Khartoum, and representative of extremist HASSAN AL-TURABI.

52. In April 1984, the AL SHAMAL ISLAMIC BANK issued shares to its main founders. They included the Government of Northern State of Sudan, the Defendant FAISAL ISLAMIC BANK – SUDAN, Defendant SALEH ABDULLAH KAMEL, his brother OMAR ABDULLAH KAMEL, and Defendant AL BARAKA INVESTMENT AND DEVELOPMENT (ABID), a wholly owned subsidiary of DALLAH AL BARAKA GROUP LLC and Defendant SALEH ABDULLAH KAMEL.

53. Among the shareholders of the AL SHAMAL ISLAMIC BANK was Defendant FAISAL ISLAMIC BANK – SUDAN, a subsidiary of Islamic Investment Company of the Gulf (Bahrain) EC, whose parent company is Defendant DAR-AL-MAAL AL ISLAMI (DMI), based in Switzerland. The three entities are chaired by Defendant MOHAMMED AL FAISAL AL SAUD, and controlled by Saudi investors.

54. AL SHAMAL ISLAMIC Bank Chairman and shareholder, Defendant ADEL ABDUL JALIL BATTERJEE, is the Chairman of al-Bir Saudi Organization, whose United States branch, BENEVOLENCE INTERNATIONAL FOUNDATION (“BIF”), is also a front for AL QAEDA sponsorship.

55. Defendant ADEL ABDUL JALIL BATTERJEE is both Chairman of the AL SHAMAL ISLAMIC BANK and was also Chairman of the WORLD ASSEMBLY OF MUSLIM YOUTH. BATTERJEE is the subject of an FBI

investigation into terrorist activities and has been implicated in the criminal indictment of ENAAM MAHMOUD ARNAOUT of BIF (discussed below).

56. AL SHAMAL ISLAMIC BANK General Manager, MOHAMMAD S. MOHAMMAD, acknowledged in a September 2001 press release that OSAMA BIN LADEN had two accounts in the bank, opened on March 30, 1992 in the name of AL-HIJRAH CONSTRUCTION AND DEVELOPMENT LTD. This company, according to the United States Department of State, worked directly with Sudanese military officials to transport and provide provisions to terrorists training in OSAMA BIN LADEN's terrorist training camps in northern SUDAN.

57. A third AL SHAMAL ISLAMIC BANK account was opened in 1993 in the name of OSAMA BIN LADEN's company, WADI AL AQIQ, a company registered in Saudi Arabia. The import-export firm, in conjunction with OSAMA BIN LADEN's TABA INVESTMENT COMPANY LTD., secured a near monopoly over SUDAN's major agricultural exports of gum, corn, sunflower, and sesame products in cooperation with prominent Sudanese NIF members.

58. JAMAL AHMED AL-FADL (or "AL-FADL"), was the first person called in the trial of four men charged with participating in a terrorism conspiracy led by OSAMA BIN LADEN, that being the 1998 bombings of the American Embassies in Kenya and Tanzania. In February of 2001, AL-FADL's testimony described OSAMA BIN LADEN's global banking network, naming

institutions in SUDAN, Malaysia, The United Kingdom, Hong Kong and Dubai where OSAMA BIN LADEN and his international terrorist organization kept money. He also gave a detailed account of OSAMA BIN LADEN's agricultural, construction, transportation and investment companies in SUDAN, which are fronts for terrorist activities. OSAMA BIN LADEN, his co-conspirators, aiders and abettors, and material sponsors have engaged in a global conspiracy aimed at the United States and other Western targets. AL QAEDA has also acted as a kind of umbrella organization providing support for other terrorist groups and also cooperating with other terrorist organizations like the Iranian-backed Hezbollah.

59. AL-FADL testified that he helped OSAMA BIN LADEN pay the employees of his companies and AL QAEDA, whose members received monthly checks of several hundred dollars, and that he was sent out to buy five farms in SUDAN for the group to use as training camps. AL-FADL testified one farm cost \$250,000 and another \$180,000.

60. After OSAMA BIN LADEN moved his group to SUDAN in 1991, AL-FADL testified, its activities were greatly aided by Sudanese INTELLIGENCE and by other government officials. AL-FADL described several arms shipments, including AL QAEDA's smuggling of Kalishnikov rifles into Egypt from SUDAN on two separate occasions that involved about 50 camels each. AL-FADL also recalled a midnight shipment of four large crates of weapons and explosives to an Islamic group in Yemen, carried on a

boat owned by AL QAEDA and accomplished with the help of a Sudanese INTELLIGENCE officer.

61. AL-FADL testified OSAMA BIN LADEN was surrounded by a group of AL QAEDA associates who participated on a ruling council and ran various committees on military, business and religious matters.

62. AL SHAMAL ISLAMIC BANK has repeatedly been used to fund criminal and terrorist activities. AL-FADL further testified, that OSAMA BIN LADEN and at least six AL QAEDA operatives held bank accounts in AL SHAMAL ISLAMIC BANK under their real names.

63. JAMAL AHMED AL-FADL also testified that AL QAEDA operatives received monthly checks of several hundred dollars from AL SHAMAL ISLAMIC BANK accounts and that he transferred \$100,000.00 from AL SHAMAL ISLAMIC BANK to an AL QAEDA representative in Jordan.

64. Defendant FAISAL ISLAMIC BANK – SUDAN, a subsidiary of ISLAMIC INVESTMENT COMPANY OF THE GULF (Bahrain) EC and DMI, was one of the five main founders of AL SHAMAL ISLAMIC BANK in April 1984 and became member of the board in July 1988. MOHAMMED AL FAISAL AL SAUD is heavily involved in the sponsorship of terror through FAISAL ISLAMIC BANK – SUDAN.

65. Defendant FAISAL ISLAMIC BANK – SUDAN was also implicated as an AL QAEDA sponsor during the 2001 United States trial on the 1998 embassy bombings in Africa as managing bank accounts for AL

QAEDA operatives. AL-FADL, testified:

Q. Where were the accounts [of AL QAEDA] held? In what countries?

A. . . . we got account in Bank Faisal Islami [Faisal Islamic Bank].

Q. Is that also in Khartoum?

A. Yes.”

66. Defendant FAISAL ISLAMIC BANK’s subsidiary in Turkey is currently under investigation by the Istanbul Prosecutor’s Office on charges of tax irregularities concerning seven executives. Prosecutors are demanding three years imprisonment for the executives including Defendant MOHAMMED AL-FAISAL AL-SAUD.

67. Defendant TADAMON ISLAMIC BANK was formed in Khartoum, SUDAN on November 28, 1981 and started operations on March 24, 1983, less than one month before AL SHAMAL ISLAMIC BANK obtained banking authorization for its own activities. The TADAMON ISLAMIC BANK is active across the Sudanese territory, through twenty-one different establishments and has several subsidiaries there.

68. Shareholders of the TADAMON ISLAMIC BANK include AL BARAKA INVESTMENT AND DEVELOPMENT CORPORATION (and/or subsidiaries of the Saudi Dallah al Baraka Group) SALEH ABDULLAH KAMEL, NATIONAL COMPANY FOR DEVELOPMENT AND TRADE, and DUBAI ISLAMIC BANK. Defendant FAISAL ISLAMIC BANK

SUDAN, a subsidiary of the ISLAMIC INVESTMENT COMPANY OF THE GULF (Bahrain) EC, whose parent is DAR AL MAL AL ISLAMI, was the main shareholder of TADAMON ISLAMIC BANK as of 1995.

69. TADAMON ISLAMIC BANK facilitated, materially sponsored, aided and abetted, and/or conspired with AL QAEDA and its international terrorists and financial operations. According to testimony of AL-FADL, during the 2001 trial regarding the 1998 Embassy bombings in Africa, TADAMON ISLAMIC BANK managed accounts of AL QAEDA operatives:

Q. "Do you recall anyone else that had bank accounts in their name for AL QAEDA ?

A. Abdouh al Mukhlafi.

Q. Who was this person named Abdouh al Mukhlafi?

A. He is from Yemen.

Q. What role did he play for Bin Laden?

A. He goes with Bin Laden when Bin Laden travel outside or inside SUDAN.

Q. What role did he play for Bin Laden when Bin Laden traveled?

A. He is like bodyguard for him, and also if Bin Laden, he needs bank something, he use account for that.

Q. Did he handle money during the travel?

A. Yes.

Q. Where were the accounts held? In what countries?

A. In SUDAN and is in Bank Tadamon Islami [Tadamon Islamic Bank]."

70. TADAMON ISLAMIC BANK is also a shareholder of Defendant AL SHAMAL ISLAMIC BANK, a bank formed in SUDAN and extensively used for AL QAEDA operations. TADAMON ISLAMIC BANK joined the provisional Board of Directors of AL SHAMAL ISLAMIC BANK on July 1988 and has been a major shareholder of AL SHAMAL ISLAMIC BANK

since March 26, 1986.

71. During the 1991-1996 time period, SUDAN abandoned visa requirements for Arabs and actively encouraged Islamic militants to live within its borders. By the end of 1991, there were between 1,000 and 2,000 members of AL QAEDA in the SUDAN. OSAMA BIN LADEN established a headquarters in the Riyadh section of Khartoum, SUDAN, an area heavily populated by Saudis.

72. OSAMA BIN LADEN was able to establish a powerful military and political presence in the SUDAN in the early 1990s, using a variety of business ventures to finance his activities, aided and abetted and materially sponsored by Defendants and co-conspirators named herein.

73. In SUDAN, between the years 1990 and 1993, members of AL QAEDA undertook the task of writing the *Encyclopedia of the Afghan Jihad*. AL QAEDA wrote another terrorist work entitled *Military Studies in the Jihad against the Tyrants*. It was during this period that OSAMA BIN LADEN and AL QAEDA became fully operational, expanding their terrorist network.

74. OSAMA BIN LADEN organized AL QAEDA into camps dedicated to exportation of terrorism throughout SUDAN (and eventually the world); the main Sudanese training site being a 20-acre site near Soba, 10 kilometers south of Khartoum. OSAMA BIN LADEN and AL QAEDA were sponsored, encouraged and allowed to operate freely in SUDAN. AL QAEDA purchased communications equipment, radios, and rifles for the Sudanese NIF,

while the Sudanese government in exchange provided 200 passports to AL QAEDA so that those terrorists could travel internationally with new identities.

75. In or about the early 1990s, JAMAL AL-FADL went to Hilat Koko, a suburb of Khartoum, where he met with representatives of AL QAEDA and the Sudanese army to discuss the joint manufacture of chemical weapons. AL QAEDA and the Sudanese army cooperated in efforts to mount chemical agents on artillery shells. AL QAEDA at this time also began to experiment with biological warfare – injecting or gassing dogs with cyanide.

76. During the early 1990s, while OSAMA BIN LADEN was being harbored in SUDAN, AL QAEDA grew into a sophisticated international terrorist organization. Several key figures in the organization portrayed AL QAEDA at the time as a multinational corporation complete with a finance committee, investments and well-organized, concealed accounts and operations worldwide.

77. At various times between in or about 1992 and 1996, OSAMA BIN LADEN and Mamdouh Mahamud Salim worked together with a ranking official in the NIF to obtain communications equipment on behalf of the Sudanese INTELLIGENCE SERVICE.

78. On at least two occasions in the period from in or about 1992 until 1995, members of AL QAEDA transported weapons and explosives from Khartoum to the coastal city of Port SUDAN for trans-shipment to the Saudi

Arabian peninsula, using vehicles owned by or used in OSAMA BIN LADEN's businesses.

79. In 1993, AL QAEDA paid \$210,000.00 for an airplane in Tucson, Arizona, that was then flown to Khartoum, SUDAN. This plane was intended to transport American stinger anti-aircraft missiles from Pakistan to SUDAN, although that missile transport did not take place as the plane was damaged before the operation could take place.

80. Because of SUDAN's active and material support of OSAMA BIN LADEN and AL QAEDA, the United States Department of State first put SUDAN on the list of State sponsors of terrorism in 1993, largely because of OSAMA BIN LADEN's residency and activities and the Sudanese connection to a terrorist plot to blow up bridges and tunnels in New York City.

81. In 1995, Defendant HASSAN AL-TURABI organized militant groups from IRAQ, IRAN, Pakistan, Algeria and Tunisia, as well as Palestinian Islamic Jihad and Hamas, as well as AL QAEDA and hosted meetings. During the time that AL QAEDA was based in SUDAN, it also forged alliances with EGYPTIAN ISLAMIC GROUPS and other Global Jihad groups in becoming an international sponsor of terrorism.

82. HASSAN AL-TURABI, under pressure from the United States and others, finally expelled OSAMA BIN LADEN from SUDAN in 1996, but allowed him to relocate and regroup in Afghanistan. According to a 1998 FBI warrant, even after BIN LADEN left SUDAN and BIN LADEN maintained his

businesses there.

83. The SUDAN continues to be one of the governments that the United States has designated as a State sponsor of international terrorism. SUDAN serves as a safe-haven for members of AL QAEDA , the Lebanese-Iranian Hezbollah, al-Gama'a al-Islamiyya, Egyptian Islamic Jihad, the Palestine Islamic Jihad, and Hamas and continued to provide financial support to AL QAEDA through September 11, 2001. SUDAN still has not complied fully with United Nations Security Council Resolutions 1044, 1054, and 1070, passed in 1996 – which require that SUDAN end all material support to terrorists. SUDAN has assets frozen by the United States government.

84. The Sudanese government and Sudanese officials close to OSAMA BIN LADEN who co-founded the AL SHAMAL ISLAMIC BANK and were associated with its operations until at least October, 2001. Among the three founders of the AL SHAMAL ISLAMIC BANK was the Northern State Government of SUDAN, ruled at that time by Mutasim Abdel-Rahim, the personal representative of HASSAN AL-TURABI, leader and principal OSAMA BIN LADEN supporter in the country.

85. Under Sudanese banking regulations, AL SHAMAL ISLAMIC BANK is considered as a joint ownership commercial bank, and therefore subject to the Central Bank of SUDAN review, supervision and control, according to the provisions of the Banks' Practice Act of 1991.

86. AL QAEDA operative JAMAL AL-FADL testified that his

terrorist activities were greatly aided by Sudanese intelligence and by other Sudanese officials. AL-FADL said that he helped OSAMA BIN LADEN pay the employees of his companies and AL QAEDA, whose members received monthly checks of several hundred dollars from AL SHAMAL ISLAMIC BANK accounts. He also testified that AL QAEDA members were granted Sudanese passports and diplomatic privileges by the government. Such material support constitutes the sponsoring of international terrorism.

87. These facts fall under the scope of the 1999 International Convention for the Suppression of the Financing of Terrorism, signed by SUDAN on February 29, 2000, and entered in force on April 10, 2002. THE REPUBLIC OF SUDAN's course of conduct contradicts the General Assembly Resolution 51/210 of December 17, 1996 calling upon the States to "prevent and counteract . . . the financing of terrorists and terrorist organizations, whether such financing is direct or indirect," the United Nations Security Council Resolution 1373 of September 28, 2001 and the United Nations Security Council Resolution 1269 of October 19, 1999, calling upon all States to "prevent and suppress in their territories through all lawful means the preparation and financing of any acts of terrorism." These resolutions were adopted under Chapter VII of the United Nations Charter, and are therefore binding on all United Nations member States, including SUDAN.

The Agencies and Instrumentalities of the Republic of Sudan

88. As described above, SUDAN acted through its officials, officers, agents, employees and instrumentalities in aiding, abetting, and providing material support and resources to OSAMA BIN LADEN, AL QAEDA and international terrorism. The support provided by the REPUBLIC OF SUDAN to OSAMA BIN LADEN and AL QAEDA assisted in, or contributed to, the preparation and execution of plans that culminated in the attacks on September 11, 2001 and to the damages to the Plaintiff herein.

89. Lieutenant General OMAR HASSAN AHMAD AL-BASHIR is the President of SUDAN, and is an instrumentality of SUDAN for the purposes of liability and damages under the Foreign Sovereign Immunities Act. As head of SUDAN, Lieutenant General OMAR HASSAN AHMAD AL-BASHIR is responsible for formulating and executing SUDAN's policy of supporting terrorism and OSAMA BIN LADEN and AL QAEDA .

90. The SUDAN Ministry of Defense, headed by General RAHMAN ABDUL SIRAL-KHATIM, is an agency of the REPUBLIC OF SUDAN. The Ministry of Defense, as a government agency, aided and abetted OSAMA BIN LADEN and AL QAEDA as outlined above.

91. The SUDAN Ministry of the Interior, headed by Major General ABDUL-RAHIM MOHAMMED HUSSEIN, is an agency of SUDAN. The Ministry of the Interior, as a government agency, aided and abetted OSAMA BIN LADEN and AL QAEDA by providing instructors to the training camps run by OSAMA BIN LADEN and AL QAEDA.

He was assisted by ABDEL WAHAB OSMAN, the Minister of Industry and ISS EL-DIN EL SAYE, the Minister of Finance. In early 1994, OSAMA BIN LADEN was responsible for at least three major terrorist training camps in Northern SUDAN and the Sudanese INTELLIGENCE SERVICES, AL AMN AL-DAKHILI and AL AMN AL-KHARIJI, provided the training. These services are answerable in part to the Ministry of the Interior.

IRAQI TERRORISM

92. Since the early 1990s, IRAQ and IRAQI INTELLIGENCE have used both IRAQI agents and independent "contractors" to commit terrorist acts against the United States in revenge for IRAQ's Gulf War defeat. AL QAEDA was IRAQ's favorite partner in crime and terror.

93. While AL QAEDA's presence was growing in the SUDAN in 1992, the Government of IRAQ also had close ties with the Sudanese GOVERNMENT. SUDAN supported IRAQ during the Gulf War and allowed IRAQ to establish a major IRAQI INTELLIGENCE center in the SUDAN through IRAQ's ambassador to Khartoum, and AL SAMAD AL-TA'ISH. AL TA'ISH was a highly placed IRAQI INTELLIGENCE agent, who brought 35 other intelligence officers with him to the SUDAN to establish a base for IRAQI operations. AL TA'ISH remained in the SUDAN through the summer of 1998. IRAQ arranged to smuggle scud missiles, chemical weapons and uranium into the SUDAN using Sudanese diplomatic mail privileges and other means. SUDAN agreed to store this material for IRAQ for safekeeping after the Gulf War to help circumvent U.N. weapons inspections.

94. During the early 1990s, SUDAN's Sheikh HASSAN AL-TURABF of the NATIONAL ISLAMIC FRONT arranged meetings between BIN-LADEN and IRAQI INTELLIGENCE officials. BIN LADEN met with FARUQ AL-HIJAZI, an IRAQI INTELLIGENCE agent in the SUDAN who would later head IRAQI INTELLIGENCE for SADDAM HUSSEIN. BIN LADEN again met with IRAQI INTELLIGENCE officers in 1994 and 1995 in the SUDAN. At these meetings, BIN LADEN and IRAQI INTELLIGENCE secret service director FARUQ AL-HIJAZI agreed to work together on terrorist projects directed against the U.S.

95. During his time in SUDAN, BIN LADEN became interested in using IRAQI chemical and biological weapons and explored plans to use crop dusting aircraft to disperse toxins as the IRAQI INTELLIGENCE and military had done earlier in Kurdistan.

96. Upon information and belief, there have been numerous meetings between IRAQI INTELLIGENCE agents and high-ranking AL QAEDA terrorists to plan terror attacks. One such meeting occurred in 1992, when ZAWAHIRI (EGYPTIAN ISLAMIC JIHAD leader and AL QAEDA officer) met with IRAQI INTELLIGENCE agents in Baghdad, IRAQ over several days. An IRAQI serving with the TALIBAN who fled Afghanistan in the fall of 2001, was captured in Kurdistan and has corroborated this meeting and confirmed that IRAQI contacts with AL QAEDA began in 1992.

THE 1993 WTC BOMBING

97. On February 26, 1993 a bomb was detonated in the World Trade Center

underground parking lot, killing six U.S. citizens. IRAQI sponsored terrorists planned, financed, executed and carried out that World Trade Center bombing.

98. The 1993 WTC bombing, took place on the Friday before the two year anniversary of IRAQ's defeat in Kuwait, which was February 28, 1991. The anniversary in 1993, was a Sunday and few people would have been working at the World Trade Center that day; and IRAQ and the terrorists wanted to maximize the number of American casualties.

99. During the initial planning of the WTC bombing, Mohammed Salameh (who was later convicted for his role in the bombing) was in regular and frequent contact with his uncle KADRI ABU BAKR, who lived in IRAQ and had been a member of a PLO faction allied with SADDAM HUSSEIN. Shortly after these calls, the mastermind of the bombing, RAMZI AHMED YOUSEF a/k/a Abdul Basit, an IRAQI INTELLIGENCE agent, traveled to the United States using travel documents obtained in Kuwait during the IRAQI occupation of that country in 1991.

100. Ramzi Yousef arrived in New York on September 1, 1992 using an IRAQI passport and requesting asylum. On December 31, 1992, he presented photocopies of passports for Abdul Basit at the Pakistani consulate in New York claiming to be Basit and requesting replacement of his "lost" passport. Basit was a Pakistani citizen who had moved to Kuwait and disappeared during the Iraqi occupation in August 1990. IRAQI INTELLIGENCE had access to the Kuwaiti Interior Ministry files and upon information and belief, inserted Yousef's fingerprints into the file and provided him with photocopies of two older passports from Basit's file. The Pakistani Consulate, accordingly, provided

Yousef a temporary passport, based on the false documents. This provided Yousef with a means to escape the U.S. two days after the World Trade Center bombing. In fleeing the United States after the bombing, Yousef first traveled through Baluchistan, an uncontrolled region of IRAN straddling the border of IRAN and Pakistan with strong ties to IRAQ. By the following year, 1994, Yousef was living in the Phillippines. He left the Phillippines however, after authorities discovered a plan he was working on to bomb United States' airliners. Yousef fled to Pakistan and was eventually sheltered at an AL QAEDA guesthouse. He was arrested in February 1995 in Pakistan and extradited to the U.S. for prosecution and was eventually convicted in the 1993 World Trade Center bombing conspiracy.

101. ABDUL RAHMAN YASIN, who was born in the United States to IRAQI parents but had been raised in IRAQ, within days of the 1993 bombing was questioned in New York and New Jersey in connection with the World Trade Center bombing, but was released after appearing to cooperate with U.S. officials. He fled the country the next day and traveled to Baghdad, IRAQ. U.S. prosecutors later learned that he, along with others, had prior training in bomb making, and had mixed the chemicals and constructed the bomb that was used in the World Trade Center. IRAQI INTELLIGENCE knew of Yasin's presence in IRAQ and provided him refuge. On August 4, 1993 YASIN was indicted in absentia for the World Trade Center bombing.

102. In June 1994 YASIN was seen in Baghdad by an ABC news correspondent who was told that YASIN worked for IRAQI government. U.S. law enforcement officials confirmed that fugitive YASIN has been sheltered in IRAQ, a continuing violation of

United Nations Security Council Resolution 687 which makes it unlawful to harbor a suspected terrorist. In June 2002, YASIN was interviewed in Baghdad by Leslie Stahl from CBS. YASIN remains in IRAQ.

103. Ramzi Ahmed Yousef, Mohammed Salameh, Nidal Ayyad, Mahmud Abu Halima and Ahmad Mohammed Ajaj were all eventually convicted in the Southern District of New York for the 1993 conspiracy to bomb the World Trade Center.

104. Following his arrest in 1995, Ramzi Yousef told U.S. investigators that his intent was to create an explosion that would cause one of the World Trade Center Towers to fall over onto the other, destroying both and causing massive American casualties.

105. During the worldwide hunt for fugitive Ramzi Yousef, he was living in the Phillippines with KHALID SHEIKH MOHAMMED. KHALID SHEIKH MOHAMMED's involvement in terror activities became known when law enforcement authorities interrupted a plot to blow up a dozen U.S. commercial airliners flying to the United States from Asian cities. KHALID's participation in the planning of these acts of terror was uncovered by authorities after he and Yousef accidentally started a fire in their apartment in Manila while mixing bomb chemicals. Filipino authorities were suspicious when they saw chemicals, bomb making instructions and timing devices in the apartment and they seized those items along with a computer containing the details of the airliner bombing plans. KHALID and Yousef fled the country, before they could be arrested.

106. KHALID eventually found sanctuary in Doha, Qatar. In early 1996, KHALID was visited in Qatar by BIN LADEN. Around the same time, FBI director, Louis Freeh, wrote to the Qatari government requesting that it surrender KHALID to U.S.

authorities. Not long after the FBI request, with the assistance of Qatari officials, KHALID fled to Prague, Czech Republic, foiling U.S. attempts to arrest him.

107. KHALID's whereabouts after his escape to Prague in May 1996 are not known, but documents and AL QAEDA members captured in Afghanistan identified KHALID as a leader in the AL QAEDA terror network and actively involved in the planning, logistics and financing of the September 11th attacks. His participation in the planned hijacking of U.S. commercial airliners was not new for him. KHALID is a close associate of ABU ZUBAYDAH, a top BIN LADEN associate who was fully aware of the targets of the September 11th hijackers. ZUBAYDAH is in the custody of United States authorities and is providing some corroborating information about AL QAEDA operations.

SOMALIA

108. In 1992 and 1993, AL QAEDA trained terrorists in Somalia and from nearby SUDAN attempted to incite an Islamic jihad there against U.S. military forces stationed in Mogadishu, Somalia by working with Somali warlord, General Farah Adid. BIN LADEN issued a fatwa urging Muslims to attack the U.S. and U.N. military forces stationed there during Operation Restore Hope. BIN LADEN, Mamdouh Mahmud Salim, MUHAMMAD ATEF, SAIF AL ADEL, ABDULLAH AHMED ABDULLAH, MUHSIN MUSA MATWALLI ATWAH, a/ka "Abdel Rahman," FAZUL ABDULLAH MOHAMMED, a/k/a "Harun," AHMED MOHAMED HAMED ALI and MOHAMED SADEEK ODEH, along with Abu Ubaidah Al Banshiri, provided weapons, military training and assistance to the Somali tribes working for Adid who were opposed to the U.N. intervention in Somalia and urged them to attack U.S. military personnel. On October 3 and 4, 1993, these

forces did attack U.S. military personnel in Mogadishu and killed 18 U.S. servicemen.

1994-1996

109. In 1994, AL QAEDA member Mohamed Sadeek Odeh and others established a cell in Nairobi and Mombasa, Kenya and followed BIN LADEN's SUDAN model by setting up seemingly legitimate businesses and aid organizations to facilitate their terrorist missions. The businesses employed AL QAEDA terrorists and the proceeds from those businesses provided money to their terrorist cause. These businesses and aid organizations included, but were not limited to, the Asthma, Ltd., Tanzanite King and the Help African People organization. ATEF, KHALID AL FAWWAZ, a/k/a "Khaled Abdul Rahman Hamad al Fawwaz," a/k/a "Abu Omar," a/k/a "Hamad," Odeh, Wadih El Hage, Fahid Mohammed Ally Msalam, Anas Al Liby and Ali Mohamed spent considerable time in Kenya from 1993 through August 1998 solidifying this AL QAEDA cell.

110. In or about 1994, BIN LADEN, working together with KHALID AL FAWWAZ, set up a media information office in London, England hereafter the ("London office"), which was designed both to publicize BIN LADEN's statements and to provide a cover for activity in support of AL QAEDA's "military" activities, including the recruitment of trainees, the disbursement of funds and the procurement of equipment and services. In addition, the London office served as a communication center for reports on military, security and other matters from various AL QAEDA cells to AL QAEDA's headquarters.

111. In November 1995, upon information and belief, AL QAEDA terrorists conspired with IRANIAN INTELLIGENCE and with the Iranian Hezbollah to bomb the Khobar Towers in Saudi Arabia killing, five U.S. servicemen. Fearing further attacks by

BIN LADEN and AL QAEDA, some Saudi government officials and businessmen agreed to provide financial support to AL QAEDA and began funneling millions of dollars to charities that would then forward the money to AL QAEDA. Some of these charities were madrassas schools which preached a form of Islam that is intolerant of non-Muslims and provided new recruits for terrorism.

RETURN TO AFGHANISTAN

112. In 1996, BIN LADEN was asked to leave the SUDAN by Sudanese officials pressured by the United States to crack down on terrorism. BIN LADEN returned to Afghanistan as the TALIBAN had seized control of most of that country. The number of AL QAEDA members and terrorist training camps in Afghanistan grew rapidly following BIN LADEN's return. AL QAEDA actively supported the TALIBAN and assisted them in violently suppressing all opposition. BIN LADEN and OMAR developed a very close relationship.

113. From 1996 until 2001, BIN LADEN with the financial and logistical support of OMAR and others in the TALIBAN and IRAQ and IRAQI INTELLIGENCE, created, supplied and operated at least five training camps in order to create an "Islamic Foreign Legion" capable of attacking enemies throughout the world. These camps trained men from 15 nations in guerrilla warfare, terrorist activities, rocket warfare, demolition and bombing, including the use of mines, grenades, TNT, nitroglycerine and plastic explosives. Classes were also given in "how to kill a policeman" and "traps, murder and terrorist moves."

114. On August 23, 1996, a strengthened BIN LADEN issued a fatwa declaring a jihad against Americans present in Muslim lands. The message was disseminated

throughout all AL QAEDA cells and associated terrorist groups, such as the EGYPTIAN ISLAMIC JIHAD. The London AL QAEDA cell, run by KHALID AL FAWWAZ under the name Advice and Reformation Committee, and the Egyptian cell, run by AL ZAWAHIRI and ABDEL BARRY, were used to send the fatwa to Muslims living in the Western World. WADIH EL HAGE was also used by BIN LADEN to deliver messages, money and terrorist material to AL QAEDA operatives in the U.S. and U.K.

IRAQI AND AL QAEDA INTERESTS PUBLICLY MERGE

115. In February 1997, BIN LADEN publicly expressed his support for IRAQ in its conflict with the United States stating:

“The hearts of the Muslims are filled with hatred towards the United States of America and the American president for American conduct towards IRAQ.”

116. Having decided to carry out acts of terrorism, SADDAM HUSSEIN, with the advice and prompting of his son and IRAQI INTELLIGENCE chief, QUSAY HUSSEIN and his other son UDAY HUSSEIN, head of an IRAQI INTELLIGENCE Subdivision known as the “Fedayeen” and “Al-Qare,” concluded that a campaign of terrorist attacks against the United States, under the banner of BIN LADEN and AL QAEDA, was the most effective means of both deflecting U.S. attempts to topple his regime and obtaining IRAQI revenge.

117. IRAQ upon information and belief, agreed to supply arms to AL QAEDA and provide AL QAEDA with access to and training in the use of chemical and biological weapons and agreed to instruct AL QAEDA terror trainers at its Salman Pak camp in Baghdad that contained a Boeing 707 used to practice hijacking. IRAQ also agreed to

supply AL QAEDA terrorists with new identities and passports from Yemen and the United Arab Emirates.

118. AL QAEDA agreed to provide protection from political opponents to IRAQ and SADDAM HUSSEIN, and to commit assassinations and other acts of violence to create instability in regions of IRAQ, particularly Kurdistan, to assist the regime of SADDAM HUSSEIN as they had done in Afghanistan in support of their host TALIBAN. AL QAEDA further agreed to provide trained terrorists, assassins and martyrs to carry out terror attacks in concert with IRAQ against their common enemies, including the United States.

119. On February 22, 1998, BIN LADEN, Khalid Al Fawwaz and AYMAM AL ZAWAHIRI of the EGYPTIAN ISLAMIC JIHAD issued a fatwa published in the Arabic newspaper Al-Quds stating:

The ruling to kill the Americans and their allies - civilians and military - is an individual duty for every Muslim who can do it in any country in which it is possible to do it. . . .

120. In their February 22, 1998 fatwa, BIN LADEN and AL QAEDA expressly referenced the United States' "continuing aggression" towards IRAQ as one of their reasons for calling on all Muslims to kill Americans "wherever and whenever" they are found:

The best proof of this is the Americans' continuing aggression against the Iraqi people using the [Arabian] Peninsula as a staging post, even though all its rulers are against their territories being used to that end, still they are helpless.

The BIN LADEN and AL QAEDA fatwa also cited the alleged "great devastation

inflicted on the Iraqi people” by the United States, as well as the United States alleged “eagerness to destroy Iraq.”

121. Additional fatwas of a similar nature were issued in May 1998 and published in Al-Quds under the banner of the ULEMA UNION OF AFGHANISTAN. A May 29, 1998 fatwa issued by BIN LADEN called for the use of a nuclear bomb to “terrorize the Jews and Crusaders who were enemies of God.” At the time BIN LADEN was seeking to obtain nuclear material from IRAQ and others who possessed nuclear material and was trying to develop nuclear weapons.

122. Between April 25 and May 1, 1998, two of BIN LADEN’s senior military commanders, MUHAMMAD ABU-ISLAM and ABDULLAH QASSIM, visited Baghdad for discussions with SADDAM HUSSEIN’s son -- QUSAY HUSSEIN -- the “czar” of IRAQI INTELLIGENCE.

123. QUSAY HUSSEIN’s participation in those meetings highlights the importance of the talks in both symbolic and practical terms. Upon information and belief, as a direct result of these meetings, IRAQ again made commitments to provide training, intelligence, clandestine Saudi border crossings, financial support and weapons and explosives to AL QAEDA .

124. IRAQI INTELLIGENCE officials met with BIN LADEN in Afghanistan several more times. A second group of BIN LADEN and AL QAEDA operatives from Saudi Arabia were then trained by IRAQI INTELLIGENCE in IRAQ to smuggle weapons and explosives into Saudi Arabia and other countries, which they later accomplished in an effort to carry out future terrorist acts of violence. A third group of BIN LADEN and AL

QAEDA operatives received a month of sophisticated guerrilla operations training from IRAQI INTELLIGENCE officials later in the Summer of 1998.

125. Despite philosophical and religious differences with SADDAM HUSSEIN, BIN LADEN continually sought to strengthen and reinforce the support he and AL QAEDA received from IRAQ. In mid-July 1998, BIN LADEN sent Dr. AYMAN AL-ZAWAHIRI, the Egyptian co-founder of AL QAEDA, to IRAQ to meet with senior Iraqi officials, including Iraqi vice president TAHA YASSIN RAMADAN. Upon information and belief, the purpose of this meeting was to discuss and plan a joint strategy for a terrorist campaign against the United States.

126. Upon information and belief, IRAQI INTELLIGENCE officials pledged IRAQ's full support and cooperation on the condition that BIN LADEN and AL QAEDA promised not to incite those groups inside IRAQ opposed to the regime of Iraqi dictator SADDAM HUSSEIN.

127. During the July 1998 visit, ZAWAHIRI toured an IRAQI military base and nuclear and chemical weapons facility near al-Fallujah in IRAQ and upon information and belief, observed training by IRAQI INTELLIGENCE officials of AL QAEDA operatives at the *al-Nasiriyah* military and chemical weapons facility in IRAQ.

U.S. EMBASSY BOMBINGS

128. To demonstrate its commitment to IRAQ and its anti-U.S. policies, in the Spring of 1998, AL QAEDA planned terrorist bombing attacks on the U.S. Embassies in Nairobi, Kenya and Dar Es Salaam, Tanzania. FAZUL A BDULLAH MOHAMED, KHALFAN KHAMIS MOHAMED, MUSTAFA MOHAMED FADHIL, MOHAMED